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Attorney for Debtor(s),
Gerald and Claudia Lawler

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
Modesto Division**

IN RE:

GERALD LAWLER and
CLAUDIA LAWLER,

Debtor(s).

Case No. 09-90140
DCN: TPH-001
Date: March 31, 2010
Time: 10:30 a.m.
Place: 1200 I St., Ste.4
Modesto, CA
Dept: E

**DECLARATION OF DEBTORS, GERALD AND CLAUDIA
LAWLER, IN SUPPORT DEBTORS' MOTION TO
ABANDON DEBTORS' REAL PROPERTY**

We, Gerald and Claudia Lawler, declare:

1. We are the debtors in the above-referenced case. We state the following facts on our own personal knowledge and know them to be true, except those facts stated on information and belief, which facts we are informed and believe to be true.
2. We filed a Chapter 7 proceeding in this jurisdiction on January 22, 2009.
3. At the time of filing the Chapter 7 proceeding we intended to retain our residence with 1st and 2nd mortgages owing to Wells Fargo Bank.
4. On February 11, 2009, we amended the Statement of Intention to surrender the real property.
5. Wells Fargo Bank filed a Motion for Relief from the Automatic Stay which was granted by minute order on June 26, 2009.

1 6. There is currently a short sale pending for the real property. Wells Fargo requires an
2 order from this court to complete the sale.

3 7. The total of the 1st and 2nd mortgages, \$900,000.00 and \$248,283.00 respectively,
4 exceed the selling price of \$750,000. We will receive no funds from this transaction.
5

6 We declare under penalty of perjury that the foregoing is true and correct and if
7 called as a witness we would testify competently thereto.
8

9 Executed this 12th day of February, 2010 at Modesto, California.
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11 Gerald Lawler
12 Gerald Lawler

13 Claudia Lawler
14 Claudia Lawler
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